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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
HECTOR MARTINEZ-HERNANDEZ,)
)
Defendant.)

No. 09-00481 DLJ

**STIPULATION RE: REVISED
BRIEFING SCHEDULE FOR
DEFENDANT'S MOTION TO DISMISS
INDICTMENT**

Date: January 6, 2012
Time: 10:00 a.m.
Court: Hon. D. Lowell Jensen

The parties hereby submit the following proposed revised briefing schedule for
Defendant's Motion to Dismiss Indictment.

Defense Motion: November 18, 2011

Government Opposition: December 9, 2011

Defense Reply: December 23, 2011

Hearing Date: January 6, 2012, 10:00 a.m.

Good cause exists for the revision of the briefing schedule because both parties need
additional time to prepare the briefs. The parties further stipulate and agree that the time from
November 18, 2011 to January 6, 2012 should be excluded in accordance with the provisions of

STIPULATION
09-00481 DLJ

1 the Speedy Trial Act, 18 U.S.C. § 3161(h)(1)(D), based upon the pendency of the defense
2 motion.

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4
5 DATED: November 30, 2011

/s/

JOSEPH P. AUDAL
Special Assistant United States Attorney

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7
8
9 DATED: November 30, 2011

/s/

BRENDAN M. HICKEY
Counsel for Martinez-Hernandez

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 OAKLAND DIVISION
4

5 UNITED STATES OF AMERICA,)
6 Plaintiff,)
7 v.)
8 HECTOR MARTINEZ-HERNANDEZ,)
9 Defendant.)

No. 09-00481 DLJ

**ORDER RE: REVISED BRIEFING
SCHEDULE FOR DEFENDANT'S
MOTION TO DISMISS INDICTMENT**

Date: January 6, 2012

Time: 10:00 a.m.

Court: Hon. D. Lowell Jensen

10
11 IT IS HEREBY ORDERED THAT, based upon the stipulation of the parties above, the
12 Court hereby adopts the following briefing schedule:

13 Defense Motion: November 18, 2011

14 Government Opposition: December 9, 2011

15 Defense Reply: December 23, 2011

16 Hearing Date: January 6, 2012, 10:00 a.m.

17 The court further finds that the time from November 18, 2011 to January 6, 2012 should
18 be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §
19 3161(h)(1)(D), based upon the pendency of the defense motion.
20

21 IT IS SO ORDERED.
22

23
24
25 DATE : December 5, 2011


HON. D. LOWELL JENSEN
United States District Judge